

ERIE COUNTY LEGISLATURE
MEETING NO. 9
May 11, 2000

The Legislature was called to order by Chairman Swanick.

All Members Present.

The Invocation was led by Sarah Kretz of St. Amelia's Roman Catholic Church and Don Heins of St. Gregory the Great Roman Catholic Church.

The Pledge of Allegiance was led by Mr. Greenan.

Item 1 – CHAIRMAN SWANICK directed that Intro. 6-6 remain on the table.

Item 2 – CHAIRMAN SWANICK directed that Intro. 6-7 remain on the table.

MS. PEOPLES moved to approve the minutes of Meetings 6, 7, and 8 of 2000. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 3 – MR. MARSHALL presented a resolution Recognizing the Orchard Park Business and Professional Women's Local Organization on Their 10th Anniversary. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. PEOPLES presented a resolution Congratulating Bishop Charles E. Blake, Sr. of the West Angeles Church of God in Christ on His 30 Years of Service. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. MARSHALL presented a resolution Honoring Marie Manley as Orchard Park "Republican of the Year." MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. MARSHALL presented a resolution Recognizing Orchard Park Chamber of Commerce Honorees. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 7 – MS. CHASE presented a resolution Designating the Month of May as Law Enforcement Appreciation Month. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. LARSON presented a resolution Honoring Town of Wales Judge Max. A Sernoffsky's Retirement. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. SWANICK presented a resolution Proclaiming 5/6 – 5/12/00 as Erie County Nurses Recognition Week. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. KUWIK presented a resolution Declaring the Week of 5/14 – 5/20/00 as Safety Week in Erie County. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. OLMA presented a resolution Congratulating Nicole Kaznowski on Her Outstanding Academic Achievement & Selection to a 4-Year Honors Scholarship Program at UB. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. SWANICK presented a resolution Proclaiming 5/11/00 as Catholic Youth Government Day in Erie County. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 13 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

Item 14 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #1) 2000 remain on the table.

Item 15 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #2) 2000 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law Intro No. 3 (Print #1) 2000 remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 17 – MR. LARSON presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

Re: Support for State Grant for
Lancaster Airport. (Intro. 9-1)

A RESOLUTION BY LEGISLATOR LARSON

WHEREAS, the County of Erie, has received a request from Lancaster Airport, Inc. applicant, for the Lancaster Airport, concerning the applicant's request for State grant funds under the Airport Improvement and Revitalization Grant and Loan Program (AIR'99) for projects to repair t-hangars and acquire grass cutting equipment, and

WHEREAS, the New York State Department of Transportation, under Section 14-1 of the State Transportation Law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located, and

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie endorsed the project identified above at the Lancaster Airport for the purpose of making the project eligible for State funding, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, County Executive Joel A. Giambra, Commissioner of Environment and Planning, Laurence Rubin and Tom Geles, President, Lancaster Airport Incorporated, 4343 Walden Avenue, Lancaster, New York 14086.

Fiscal Impact: None for the resolution

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

MR. LARSON moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 18 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

Re: Support for State Grant for
Hamburg Airport. (Intro. 9-2)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

WHEREAS, the County of Erie, has received a request from Roderick and Larry Walsh, applicants, for the Hamburg Airport, concerning the applicant's request for State grant funds under the Airport Improvement and Revitalization Grant and Loan Program (AIR'99) for projects to repair the taxiway, construction of ten T hangars and for repairs and/or the replacement of two hangar roofs, and

WHEREAS, the New York State Department of Transportation, under Section 14-1 of the State Transportation Law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located, and

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie endorsed the project identified above at the Hamburg Airport for the purpose of making the project eligible for State funding, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, County Executive Joel A. Giambra, Commissioner of Environment and Planning, Laurence Rubin and Larry Walsh, Hamburg Airport, Inc., 6765 Heltz Rd., Lakeview, New York 14085

Fiscal Impact: None for the resolution

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of the resolution as amended. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 19 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156

Re: Support for Disposition of On-Track Pari-Mutuel Harness Racing Pools and Off-Track Pari-Mutuel Betting Pools for Purpose of Increasing Purses for Horsemen.
(Intro. 9-3)

A RESOLUTION BY LEGISLATOR CHASE

WHEREAS, as a result of Batavia Downs ceasing racing operations, approximately \$338,779 remained in the Batavia Downs Designated Purse Account at the time the assets of the Genesee Monroe Racing Association were sold to the Regional OTB, and

WHEREAS, this money consisted of the horsemen's share of money wagered at Batavia Downs in the meet ending in October, 1997 and not paid out during the meet, as well as money due the horsemen's purses from off-track wagering which occurred prior to the sale of Batavia Downs to the Western Region OTB in July, 1998, and

WHEREAS, this money should have been used to supplement the horsemen's purses at the next Batavia Downs meet, scheduled for the summer of 1998. However, instead of racing in the summer of 1998, due to the closure of Batavia Downs, the horsemen raced at Buffalo Raceway, and

WHEREAS, as a separate racing association, Buffalo Raceway was unable to supplement its new summer of 1998 races with the money earned for the horsemen at Batavia Downs, and

WHEREAS, a recent ruling by the New York State Racing and Wagering Board indicated that under current law the money in the Batavia Downs purse account could not be used to supplement purses at Buffalo Raceway, thus depriving Western New York horsemen of their share of the commissions earned at Batavia Downs during the summer of 1997, and

WHEREAS, legislation (S.7188/A.10300) has been introduced in the New York State Legislature by Senator Dale Volker and Assembly Richard Smith to address the inequity by ensuring the distribution of the purse money earned at Batavia Downs to Western New York horsemen,

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby support the fair distribution of purse money earned on pari-mutuel wagering and off-track betting attributable to pre-July 1, 1998 operations at Batavia Downs so that the funds can benefit Western New York Horsemen, and be it further

RESOLVED, that the Erie County Legislature believes that provisions of New York State Racing, Pari-Mutuel Wagering and Breeding Law unfairly punish Western New York horsemen due to the unique circumstances involving the cessation of operations at Batavia Downs, and be it further

RESOLVED, that the Erie County Legislature does hereby strongly support S.7188/A.10300 as a means of addressing this matter in a fair and equitable manner, and be it further

RESOLVED, that the Erie County Legislature does hereby call upon the New York State Legislature to approve and the Governor to sign into law S.7188/A.10300, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor George Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver and to the members of the Western New York State Legislative Delegation.

Fiscal Impact: None

MS. CHASE moved to amend the resolution to include ET AL Sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 20 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 9-4 From LEGISLATOR DUSZA Re: In Support of Exempting State-Chartered Credit Unions From Paying NYS Sales and Use Taxes.

Item 21 – MR. MARSHALL presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 157

Re: Consent & Approval –
Conveyance of Land in the Town of
Clarence to the Clarence Fillmore
Cemetery Assn. From the Brothers
of Mercy, Inc. (Intro. 9-5)

A RESOLUTION SUBMITTED BY LEGISLATOR MARSHALL

WHEREAS, there is an agreement between Brothers of Mercy, Inc., and the Clarence Fillmore Cemetery Association, and

WHEREAS, the purpose of said agreement is to set forth the terms and conditions of the proposed conveyance of certain land in the Town of Clarence, New York to the Clarence Fillmore Cemetery Association from Brothers of Mercy, Inc., and

WHEREAS, pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law, a cemetery corporation cannot take title to land in the County of Erie for cemetery purposes without first having obtained the consent of the Erie County Legislature, and

WHEREAS, Section 1506(c) of the New York State Not-for-Profit Corporation Law also contains notice requirements and the requirement of a public hearing, and

WHEREAS, the attorney for the applicant has fulfilled the notice requirements and the Erie County Legislature has held the required public hearing on May 11, 2000 at 1:00 p.m.,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby consents to and approves the conveyance of certain land in the Town of Clarence, New York to the Clarence Fillmore Cemetery Association from the Brothers of Mercy, Inc., pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law, and be it further

RESOLVED, that the Clerk of the Legislature forward a certified copy of this resolution to Elizabeth M. DiPirro (74 Main Street, P.O. Box 31, Akron, New York 14001-0031) as attorney for the Clarence Fillmore Cemetery Association, Brothers of Mercy, Inc. (4520 Ransom Road, Clarence, New York 14031), and the Town of Clarence (Supervisor and Clerk).

FISCAL IMPACT: None.

MR. MARSHALL moved the approval of the resolution. MS. PEOPLES seconded. MR. Ranzenhofer abstained.

CARRIED UNANIMOUSLY.

Item 22 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.
RESOLUTION NO. 158

Re: Transfer of Funding for a
Community Organization.
(Intro. 9-6)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$25,000 within Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Northwest Buffalo Community Ctr.	830/0356	\$25,000	(\$25,000)	-0-
North Buffalo Community Ctr.	830/0639	- 0-	\$25,000	\$25,000
TOTAL			\$-0-	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Deborah A. Cielencki, Executive Director, North Buffalo Community Center, (203 Sanders Road, Buffalo, NY 14216.)

Fiscal Impact: Transfer of 2000-budgeted funds.

MR. DeBENEDETTI moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 23 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

Re: Transfer of Funding for
Community Events. (Intro. 9-7)

A RESOLUTION SUBMITTED BY LEGISLATOR WEINSTEIN

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$7,000 within Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Amherst Chamber of Commerce	830/1148	\$17,700	(\$7,000)	\$10,700
Town of Amherst - Flag Day Celebration	830/	- 0-	\$1,000	\$1,000
Town of Amherst - Millennium Committee	830/	- 0-	\$1,000	\$1,000
Village of Williamsville – Fire Department	830/0851	\$4,000	\$2,500	\$6,500

Village of Williamsville – Historical Preservation	830/	-0-	\$2,500	\$2,500
TOTAL			\$-0-	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Susan Grelick, Supervisor, Town of Amherst, (Amherst Town Hall, 5583 Main St., Williamsville, NY 14221,) Thomas Meldrum, Chief, Village of Williamsville Fire Department, (5565 Main Street, Williamsville, NY 14221,) and Mayor Basil Piazza, Village of Williamsville, (5565 Main Street, Williamsville, NY 14221.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

MR. WEINSTEIN moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 24 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

Re: Funding for a Community Event.
(Intro. 9-8)

A RESOLUTION SUBMITTED BY LEGISLATOR SWANICK

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,500 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
City of Tonawanda - Winter Walk	830/	\$1,500
TOTAL		\$1,500

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agency cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Donald Witkowski, Administrative Assistant, City of Tonawanda, (200 Niagara Street, Tonawanda, New York 14150-1099.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 25 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

Re: Funding for Scajaquada Creek.
(Intro. 9-9)

A RESOLUTION SUBMITTED BY LEGISLATOR FISHER

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$25,000 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>OLD AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
Erie County Soil & Water Cons – Scajaquada Creek Project	830/1156	\$25,000	\$25,000	\$50,000
TOTAL			\$25,000	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agency cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to LuAnn Freeman, Erie County Soil & Water Conservation District, (50 Commerce Way, East Aurora, NY 14052.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

MS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 26 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

Re: Funding for Various Community
Organizations. (Intro. 9-10)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$25,718 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Community Concern of Evans & Brant	830/	\$5,000
Town of Evans - Domestic Violence	830/	\$2,968
Town of Eden - Eden Town Hall	830/0647	\$2,000
Eden Corn Festival	830/0948	\$2,000
Eden Chamber of Commerce	830/	\$1,000
Eden Football Leagues	830/	\$1,000

Town of Eden - Recreation Dept.	830/0647	\$3,000
Evans / Brant Chamber of Commerce	830/	\$1,000
12 th Annual Great Lakes Beach Sweep	830/	\$250
Town of Hamburg - Hamburg Chamber of Commerce	830/1171	\$1,000
Newell-Faulkner Post 880	830/	\$2,000
Operation Good Neighbor	830/0634	\$2,500
Veterans of Foreign Wars	830/	\$2,000
TOTAL		\$25,718

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Jerry Bartone, Community Concern of Evans & Brant, (6722 Erie Road, PO Box 28, Derby, NY 14047,) Supervisor Rob Catalino, Town of Evans, (Evans Town Hall, 8787 Erie Road, Angola, NY 14006,) Mary Jo Hultquist, Eden Town Hall, (2795 E. Church St., Eden, NY 14057,) Bill Faircloth, Eden Corn Festival, (2695 Oakland, Eden, NY 14057,) Rich Ventry, Eden Chamber of Commerce, (2757 W. Church St., Eden, NY 14057,) Gordon Karstedt, Eden Football Leagues, (9474 Sisson Highway, Eden, NY 14057,) Susan Brass, Director, Town of Eden Recreation Department, (2795 Church St., Eden, NY 14057,) Joanne Sack, Evans / Brant Chamber of Commerce, (PO Box 256, Derby, NY 14057,) Sharen Trembath, 12th Annual Great Lakes Beach Sweep, Betty Newell, Hamburg Chamber of Commerce, (PO Box 460, Hamburg, NY 14075,) Fred Strozewski, Newell-Faulkner Post 880, (American Legion, 2912 Legion Drive, Eden, NY 14057,) Bill Roberts, Operation Good Neighbor, (2030 S. Creek Rd, N. Evans, NY 14047,) and Robert Ortel, Veterans of Foreign Wars, (2551 March Road, Eden, NY 14057.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

MS. CHASE moved to amend the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

DELETE the RESOLVE clauses in their entirety and REPLACE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$31,218 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Community Concern of Evans & Brant	830/	\$5,000
Town of Evans - Domestic Violence	830/	\$2,968
Town of Eden - Eden Town Hall	830/0647	\$2,000
Eden Corn Festival	830/0948	\$2,000
Eden Chamber of Commerce	830/	\$1,000
Eden Football Leagues	830/	\$1,000
Town of Eden - Recreation Dept.	830/0647	\$3,000
Evans / Brant Chamber of Commerce	830/	\$1,000
12 th Annual Great Lakes Beach Sweep	830/	\$250
Town of Hamburg - Hamburg Chamber of Commerce	830/1171	\$1,000
Newell-Faulkner Post 880	830/	\$2,000
Operation Good Neighbor	830/0634	\$2,500
Veterans of Foreign Wars	830/	\$2,000
Sisterhood Wellness Center, Inc.	830/	\$5,000

Village of Hamburg	830/0454	\$500
TOTAL		\$31,218

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agencies cited, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Jerry Bartone, Community Concern of Evans & Brant, (6722 Erie Road, PO Box 28, Derby, NY 14047,) Supervisor Rob Catalino, Town of Evans, (Evans Town Hall, 8787 Erie Road, Angola, NY 14006,) Mary Jo Hultquist, Eden Town Hall, (2795 E. Church St., Eden, NY 14057,) Bill Faircloth, Eden Corn Festival, (2695 Oakland, Eden, NY 14057,) Rich Ventry, Eden Chamber of Commerce, (2757 W. Church St., Eden, NY 14057,) Gordon Karstedt, Eden Football Leagues, (9474 Sisson Highway, Eden, NY 14057,) Susan Brass, Director, Town of Eden Recreation Department, (2795 Church St., Eden, NY 14057,) Joanne Sack, Evans / Brant Chamber of Commerce, (PO Box 256, Derby, NY 14057,) Sharen Trembath, 12th Annual Great Lakes Beach Sweep, (466 Alfred Drive, Angola, NY 14006,) Betty Newell, Hamburg Chamber of Commerce, (PO Box 460, Hamburg, NY 14075,) Fred Strozewski, Newell-Faulkner Post 880, (American Legion, 2912 Legion Drive, Eden, NY 14057,) Bill Roberts, Operation Good Neighbor, (2030 S. Creek Rd, N. Evans, NY 14047,) Robert Ortel, Veterans of Foreign Wars, (2551 March Road, Eden, NY 14057,) Nancy Bowen, Sisterhood Wellness Center, Inc., (PO Box 433, Derby, NY 14047,) and George Sidford, Village of Hamburg – Hamburg Civic Beautification Committee, (100 Main St., Hamburg, NY 15074-4988.)

MS. CHASE moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 27 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 9-11 From LEGISLATOR DUSZA Re: Examining the Pros & Cons of Fluoridating Drinking Water.

Item 28 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

Re: Funding for Operation Prime
Time. (Intro. 9-12)

A RESOLUTION SUBMITTED BY LEGISLATORS
SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI,
DUSZA & PAULY

WHEREAS, the Youth Services Department has identified a shortfall in funding for Operation Prime Time, and will require additional funds, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$107,054 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 946, Department 250 – Youth Services as follows:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Operation Prime Time	830/0920	\$92,946	\$107,054	\$200,000
Total			\$107,054	

and be it further,

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Director of Division of Youth Services, are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and James B. Ward, Commissioner of Youth Services.

Fiscal Impact: Appropriation of 2000-budgeted funds.

MR. MARSHALL moved to amend the resolution to include ET AL Sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of the resolution as amended. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 29 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

Re: Personnel Adjustment.
(Intro. 9-13)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK & PEOPLES

WHEREAS, the Erie County Legislature has determined that personnel adjustments within its budget are necessary, and

WHEREAS, in order to effectuate these adjustments, a resolution must be adopted,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby increase the hourly rate for the position of CONST SRV LIAS RPT (Pos. #001352) from the rate of \$13.86 per hour to \$20.00 per hour, effective May 8, 2000, and be it further

RESOLVED, that the Erie County Legislature does hereby delete a vacant position of CLERK TYP (LEG) PT (Pos. #001754), effective May 8, 2000, to fund the net cost of this personnel adjustment, and be it further

RESOLVED, that the Clerk of the Legislature, the Commissioner of Personnel, and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this personnel adjustment, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, Budget Director Joseph Passafiume, and Personnel Commissioner Leonard R. Lenihan.

Fiscal Impact: Re-appropriation of 2000-budgeted funds.

MS. PEOPLES moved the approval of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 30 – MR. KUWIK moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 8E-2. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

Re: Erie County Sheriff's Office
Personnel Adjustments.

WHEREAS, the Erie County Sheriff's Office has identified the need to increase the supervisory and support staffs of the Erie County Sheriff's Office requiring personnel adjustments in both the Sheriff's and Holding Center Divisions and,

WHEREAS, these adjustments have been reviewed and approved by the Erie County Department of Personnel and,

WHEREAS, funding for these position adjustments will be offset by the positions deleted therefore requiring no additional county funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to create one Counsel to the Sheriff, Job Group 13, one Captain, Job Group 12, and one Dispatcher Sheriff, Job Group 6 in the Sheriff's Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to create one Assistant Director of Technology, Job Group 11, one Senior Executive Assistant, Job Group 11, one Lieutenant, Job Group 10, two Sergeant Officer, Job Group 9 and one Receptionist, Job Group 3 in the Holding Center Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to delete one Lieutenant, Job Group 11, one Deputy Sheriff Criminal, Job Group 8 and one Police Complaint Writer 55b, Job Group 5 from the Sheriff's Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to delete four (4) Deputy Sheriff Officer, Job Group 8 and one Clerk Typist, Job Group 1 from the Holding Center Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to upgrade the position of Chief of Technology and Technical Criminal Services in the Sheriff's Division from a Job Group 12 to a Job Group 13 and be it further,

RESOLVED, that certified copies be forwarded to the Division of Budget, Management, and Finance, Department of Personnel and the Office of the Sheriff for implementation.

MR. KUWIK moved to amend the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Delete original resolution in its entirety and replace with the following:

WHEREAS, the Erie County Sheriff's Office has identified the need to increase the supervisory and support staffs of the Erie County Sheriff's Office requiring personnel adjustments in both the Sheriff's and Holding Center Divisions and,

WHEREAS, these adjustments have been reviewed and approved by the Erie County Department of Personnel and,

WHEREAS, funding for these position adjustments will be offset by the positions deleted therefore requiring no additional county funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to create one Captain, Job Group 12, and one Dispatcher Sheriff, Job Group 6 in the Sheriff's Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to create one Assistant Director of Technology, Job Group 11, one Senior Executive Assistant, Job Group 11, one Lieutenant, Job Group 10, two Sergeant Officer, Job Group 9 and one Receptionist, Job Group 3 in the Holding Center Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to delete one Lieutenant, Job Group 11, one Deputy Sheriff Criminal, Job Group 8 and one Police Complaint Writer 55b, Job Group 5 from the Sheriff's Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to delete four (4) Deputy Sheriff Officer, Job Group 8 and one Clerk Typist, Job Group 1 from the Holding Center Division and be it further,

RESOLVED, that the Erie County Sheriff's Office be authorized to upgrade the position of Chief of Technology and Technical Criminal Services in the Sheriff's Division from a Job Group 12 to a Job Group 13 and be it further,

RESOLVED, that certified copies be forwarded to the Division of Budget, Management, and Finance, Department of Personnel and the Office of the Sheriff for implementation.

MR. KUWIK moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 31 – MS. PEOPLES moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Intro. 5-3. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166

Re: Requesting State to Allow
County & Local Option to Provide
Firefighters and EMTs.

A RESOLUTION SUBMITTED BY
LEGISLATOR DUSZA

WHEREAS, Those working as firefighters (whether in fire departments or volunteer companies) and emergency medical technicians provide an invaluable service to their community, and

WHEREAS, Firefighters and EMTs put their lives on the line without a second thought to save the lives of others, and

WHEREAS, Oftentimes the critical role these men and women play is overlooked by the very people they serve, and

WHEREAS, We as a community should take every opportunity to show our appreciation and gratitude for these fine people, and

WHEREAS, The county says "thank you" to our veterans and our seniors for their years of dedication to our community by providing partial real property tax exemptions, and

WHEREAS, New York State currently allows Rockland County to provide a partial real property tax exemption to members of volunteer fire companies, fire departments and ambulance services, and

WHEREAS, This Honorable Body would like the option to do the same,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby once again thank this county's firefighters and EMTs for the important service they provide to our community, and be it further

RESOLVED, That this Honorable Body does hereby request that a new section be added to section 466-a of the New York State Real Property Tax Law to allow Erie County and its municipalities therein the option to provide a partial real property tax exemption to members

(meeting certain statutory requirements) of incorporated volunteer fire companies, fire departments, and incorporated ambulance services, and be it further

RESOLVED, That certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the New York State Legislature, and Erie County Director of Real Property Joseph Maciejewski.

Fiscal Impact: None for resolution.

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved to amend the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

AMENDMENT TO INTRO. 5-3 (2000)

SUBMITTED BY LEGISLATORS DUSZA & MARINELLI

ADD the following after the seventh WHEREAS clause:

WHEREAS, the proper manner by which to accomplish this end is to:

- a. Memorialize the New York State Legislature to draft and file legislation accomplishing this end;
- b. Once state legislation is filed, have the Erie County Legislature adopt a Home Rule request to the New York State Legislature seeking adoption of said state legislation;
- c. Once the state legislation is adopted, the Erie County Legislature may adopt the appropriate local legislation to enact the exemption on the county level;

And

WHEREAS, this process is set in motion initially through adoption of this resolution,

DELETE the second RESOLVE clause and replace with the following:

RESOLVED, that this Honorable Body does hereby request that the New York State Assembly and New York State Senate draft and file appropriate legislation within their respective houses offering a local option to the county of Erie and its municipalities to provide a partial real property tax exemption to members (meeting certain statutory requirements) of incorporated volunteer fire companies, fire departments and incorporated ambulance services, and be it further

RESOLVED, that upon said filing of state legislation, home rule legislation seeking approval of said state legislation be considered and acted upon by this Honorable Body, and be it further

RESOLVED, that this Honorable Body does hereby call upon Erie County's various municipal governments to make respective determinations as to their desire to enact local property tax exemptions for members of incorporated volunteer fire companies, fire departments and incorporated ambulance services, and this Honorable Body does hereby encourage those local governments to forward certified copies of appropriate adopted resolutions to the Erie County Legislature, and be it further

MS. PEOPLES moved the approval of the resolution as amended. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 32 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9D-8 From ECC President William Mariani Re: 2000-2001-Budget.

CHAIRMAN SWANICK directed that Comm. 9D-8 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 33 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9M-33 From Erie County Water Authority Commissioner Mark G. Patton Re: Letter Re: Oath Card.

CHAIRMAN SWANICK directed that Comm. 9M-33 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 34 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Intro. 9-14 From Legislators Swanick & Peoples Re: Adequate Capital Funding for Existing Convention Center.

CHAIRMAN SWANICK directed that Intro. 9-14 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 35 – MR. OLMA moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9E-49 From Erie County Comptroller Nancy Naples Re: Funds Provided to the Broadway Market Management Corporation.

CHAIRMAN SWANICK directed that Comm. 9E-49 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 36 – (Comm. 9E-1) Request for Legislative Action to Contract with a Financial Advisor for Securitization of the Tobacco Settlement Receipts.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 37 – (Comm. 9E-2) Reappointments to Conditional Release Commission.

RECEIVED, FILED, & PRINTED.

April 12, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Reappointments to Conditional Release Commission

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 271, New York State Corrections Law Article 12, do hereby reappoint the following individuals to the Conditional Release Commission for the terms stated.

NAME AND ADDRESS

TERM EXPIRATION

SELENA J. GARR
449 Richmond Avenue
Buffalo, New York 14221

September 1, 2001

THOMAS F. HIGGINS
187 Cumberland Avenue
Buffalo, New York 14220

September 1, 2001

Respectfully submitted,

Joel A. Giambra
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees
George B. Alexander, Director, Dept. of Probation
Carl J. Calabrese, Deputy County Executive

Item 38 – (Comm. 9E-3) Veto Message Regarding Resolution Intro. 6-15 Approved on 3/23/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 39 – (Comm. 9E-4) Appointments to Conditional Release Commission.

RECEIVED, FILED, & PRINTED.

April 12, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Appointments to Conditional Release Commission

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 271, New York State Corrections Law Article 12, do hereby appoint the following individuals to the Conditional Release Commission for the terms stated.

NAME AND ADDRESS	TERM EXPIRATION
DR. TALIA HARMON 2220 Northwood Drive Williamsville, NY 14221	September 1, 2001
DORIS A. CARBONELL-MEDINA, ESQ. 254 Rounds Avenue Buffalo, New NY 14215	September 1, 2001
TERRY ANDERSON 618 Columbus Parkway Buffalo, NY 14213	September 1, 2001
RALPH W. GRZEDZICKI Erie County correctional Facility 11581 Walden Avenue Alden, NY 14004	September 1, 2001
H. McCARTHY GIBSON 72 Northington Drive East Amherst, NY 14051	September 1, 2001
ALPINA H. TAYLOR 8 Parliament Court Getzville, NY 14068	September 1, 2001
NICHOLAS L. OTTIAUIANI 46 Maria Lane Cheektowaga, NY 14227	September 1, 2001
HENRY T. CONFORTI Division of Parole Gen. Donovan State Office Building 125 Main Street Buffalo, NY 14203	September 1, 2001

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees

George B. Alexander, Director, Dept. of Probation
Carl J. Calabrese, Deputy County Executive

Item 40 – (Comm. 9E-5) Copy of Letter Re: Reappointment to Buffalo Museum of Science Board of Directors.

Received and filed.

FROM THE COMPTROLLER

Item 41 – (Comm. 9E-6) Findings Upon Examination of Broadway Market Financial Statements & Independent Auditor's Report for Six Months Ended 12/31/99.

Item 42 – (Comm. 9E-7) Report of Apportionment & Distribution of 4% Sales Tax Revenue Received by E.C. From NYS for April.

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 43 – (Comm. 9E-8) Review of Unfilled Vacant Positions in General, Road & Social Services Funds as of 3/24/00.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM THE COUNTY CLERK

Item 44 – (Comm. 9E-9) Copy of Letter to Assemblymember Wirth Requesting Increase to the State Reimbursement for Auto Bureau Services.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 45 – (Comm. 9E-10) Copy of Letter to South Wales Fire District Re: Erie County Fire Safety 2000 Recruitment & Retention Campaign.

Item 46 – (Comm. 9E-11) Copy of Letter to Aurora-Colden Fire District #6 Re: Erie County Fire Safety 2000 Recruitment & Retention Campaign.

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 47 – (Comm. 9E-12) Letter to Legislature Clerk Re: Oath Cards for Water Authority Commissioner.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 48 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

Re: DPW - Operating
Agreement with NYSEG.
(Comm. 9E-13)

WHEREAS, the County of Erie has entered into the deregulated marketplace for the purpose of purchasing electricity on the open and competitive market, at whole sale pricing and,

WHEREAS, Erie County has been operating as an Energy Service Company ("ESCO") certified by the New York Independent System Operator ("NYISO") network and approved by New York State Electric and Gas Corporation ("NYSEG") to have NYSEG deliver such electric power supply over the transmission and distribution system of NYSEG, and,

WHEREAS, this operating agreement renewal is necessary to continue the rules, regulations, policies and procedures that govern such transactions, from time to time are amended by NYSEG, and,

WHEREAS, after careful review of this operating agreement the Department of Public works deems such an agreement to be in the county's best interest, to purchase, and distribute electricity to the Utility Aggregation enrollment

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Executive is hereby authorized to enter into such an agreement with the New York State Electric and Gas Corporation, subject to approval as to form of the agreement by the county attorney, and be it further

RESOLVED, that two (2) certified copies of this resolution be sent to the Department of Public Works, and that one certified copy of the resolution be sent to each of the following; the

Erie County Attorney's Office, the Budget Director, the Comptrollers Office, and NYSEG Corporation.

MS. PEOPLES moved the approval of the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 49 – (Comm. 9E-14) Resolution Urging NYS Legislature to Change Dates of Assessment Calendar Applicable to Real Property Situate in EC Towns.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 50 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168

Re: Scheduled Dates to Conduct
Free Rabies Clinics. (Comm. 9E-15)

MS. PEOPLES moved to amend the resolution. MS. MARINELLI seconded. MR. GREENAN voted in the negative.

CARRIED.

WHEREAS, the County of Erie has conducted annual free rabies clinics administered by the Health Department for many years, and

WHEREAS, the County is desirous to continue these clinics for the citizens of Erie County, and

WHEREAS, pursuant to budgetary resolution, the scheduling of said clinics by the County Executive must be approved by the County Legislature, and

WHEREAS, the County Executive through the Department of Health has submitted a proposed schedule of dates and times to conduct these free rabies clinics (attached as part of this resolution),

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature does hereby approve the attached schedule of dates and times to conduct the free rabies clinics, and be it further

RESOLVED, that the Erie County Department of Health can commence all necessary steps to conduct the clinics pursuant to the attached schedule and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Executive, the Department of Health, and the Department of Law.

FREE RABIES CLINICS

Conducted by the

ERIE COUNTY DEPARTMENT OF HEALTH

JOEL A. GIAMBRA
County Executive

ARNOLD N. LUBIN M.D.
Commissioner

in association with

THE NIAGARA FRONTIER VETERINARY SOCIETY

and

THE ERIE COUNTY SPCA

Clinic Dates and Locations:

Wednesday, May 24, 2000
2 -4 p.m.

BROADWAY MARKET
999 Broadway
Buffalo

Wednesday, May 31, 2000
5 -7 p.m.

CLARENCE HIGHWAY GARAGE
6185 Goodrich Road
Clarence Center

Wednesday, August 16, 2000
5 -7 p.m.

LAKE SHORE FIRE COMPANY
S4591 Lake Shore Road
Hamburg

Wednesday, August 23, 2000
5 -7 p.m.

AURORA HIGHWAY GARAGE
251 Quaker Road
East Aurora

Wednesday, August 30, 2000
2 -4 p.m.

SPCA
205 Ensminger Road
Tonawanda

Tuesday, September 5, 2000
5 -7 p.m.

SPRINGVELLE FIRE COMPANY
405 W. Main Street
Springville

Wednesday, September 13, 2000

AMERICAN LEGION POST #1041

5 -7 p.m.

533 Amherst Street
Buffalo

Wednesday, September 20, 2000
2 -4 p.m.

CHEEKTOWAGA HWY.
GARAGE
3145 Union Road
Cheektowaga

(5/00)

MS. PEOPLES moved the approval of the resolution as amended. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 51 – (Comm. 9E-16) Contract Extension Rural Van Transportation Services Program 2000-01.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 52 – (Comm. 9E-17) DPW – Agreement with NYSDOT – North Forest Road Bridge Over Ellicott Creek, Town of Amherst.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 53 – (Comm. 9E-18) Appointments to County Development Coordination Board.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 54 – (Comm. 9E-19) Appointments to EC Youth Services Board.

RECEIVED, FILED & PRINTED.

May 9, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Appointments to Erie County Youth Services Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 11-F-03 of the Erie County Code, do hereby appoint the following individuals to the Erie County Youth Services Board for the terms stated.

<u>NAME AND ADDRESS</u>	<u>TERM EXPIRATION</u>
John O'Neill Equity Search, Inc. 2952 Seneca Street West Seneca, NY 14224	December 31, 2000
Barnard Tolbert Special Agent in Charge Federal Bureau of Investigation One F.B.I. Plaza Buffalo, NY 14202	December 31, 2000
Shelia Battle 347 Starin Avenue Buffalo, NY 14216	December 31, 2000
Debora Maccagnano 229 Summit Avenue Buffalo, NY 14214	December 31, 2000
Albert J. delValle Hispanos Unidos de Buffalo 254 Virginia Street Buffalo, NY 14201	December 31, 2000
Judith H. Katz 186 Forestview Drive Williamsville, NY 14221	December 31, 2000

Respectfully submitted

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees
Carl Calabrese, Deputy County Executive
Nancy Naples, County Comptroller

James B. Ward, Commissioner, Youth Services
Patrick Ruffino, Deputy Commissioner, Youth Services

Item 55 – (Comm. 9E-20) County Attorney – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 56 – (Comm. 9E-21) DPW – Ralph Wilson Stadium Plumbing Improvements.

Item 57 – (Comm. 9E-22) DPW – Buffalo & Erie County Public Library – Exterior Site & Building Improvements.

Item 58 – (Comm. 9E-23) DPW – Family Court Facility, Bid Packages Nos. 17 – 19.

Item 59 – (Comm. 9E-24) DPW – Springville Boston Road Bridge Over Eighteen Mile Creek, Town of Concord.

Item 60 – (Comm. 9E-25) DPW- Goodrich Road Bridge Over Tonawanda Creek, Town of Clarence & Town of Lockport.

Item 61 – (Comm. 9E-26) DPW – Correctional Facility – Electronic Security System – Contingency Fund Increase.

Item 62 – (Comm. 9E-27) DPW – Chestnut Ridge Waterline – Phase II – Contingency Fund Increase.

Item 63 – (Comm. 9E-28) DPW – Holding Center – Electronic Security System.

The above eight items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 64 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169

Re: DPW – ECC North –
Renovations to Existing Erie
Dining Room - Spring
Student Center.
(Comm. 9E-29)

WHEREAS, the ECC Statler Foundation is fully funding the Renovations to the Existing Erie Dining Room - Spring Student Center, and

WHEREAS, the firm of Barton Hovey Nardini Tries Architects has completed the Project Initiation Report for the Renovations to the Existing Erie Dining Room - Spring Student Center, and

WHEREAS, it is now also desired to start design of this project so it can be bid in 2000,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a contract to Barton Hovey Nardini Tries Architects to prepare contract documents and construction administration services for the Renovations to the Existing Erie Dining Room - Spring Student Center, and be it further,

RESOLVED, that the total amount paid for consulting services be a fee not to exceed \$23,000.00, including reimbursables, and be it further,

RESOLVED, that the fee allocation funded by ECC Statler Grant Foundation be transferred to the Department of Public Works and deposited into ECCN Spring Student Center Food Lab Renovations, Fund 480, Project 811, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to Erie Community College; one copy to the Office of Budget Management & Finance; and one copy to the Comptroller's Office.

MS. PEOPLES moved the approval of the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 65 – (Comm. 9E-30) DEP – Southtowns Sewage Treatment Plant – Façade Rehab Contract Award.

Item 66 – (Comm. 9E-31) DEP – Student Internships.

Item 67 – (Comm. 9E-32) DEP – Community Development Block Grant Household Income Surveys – Agreement with Stuart I. Brown Associates, Inc.

Item 68 – (Comm. 9E-33) DEP – Sewer District Nos. 1-4-5 Fund Transfer Request.

The above four items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 69 – (Comm. 9E-34) Granting NYSDOT Transfer of EC Property at Borden Road, Town of West Seneca.

Item 70 – (Comm. 9E-35) Sale of County Owned Inventory – Rear Mineral Springs Road, Town of West Seneca.

Item 71 – (Comm. 9E-36) Sale of County Owned Property.

The above three items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 72 – (Comm. 9E-37) CPS – Card Scan Systems Grant Match.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 73 – (Comm. 9E-38) ECC – Cellular Tower Lease.

Item 74 – (Comm. 9E-39) ECC – Retirement Incentive Program 2000.

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 75 – (Comm. 9E-40) State Incentive Cooperative Agreement Funding.

Item 76 – (Comm. 9E-41) Health – HIV/STD Support Services Grant.

The above two items were received and referred to the HEALTH COMMITTEE.

Item 77 – (Comm. 9E-42) Health – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 78 – (Comm. 9E-43) Health – Healthy Heart Program Grant 7/1/00 – 6/30/01.

Item 79 – (Comm. 9E-44) Health – Healthy Women’s Partnership 4/1/99 – 3/31/00.

The above two items were received and referred to the HEALTH COMMITTEE.

Item 80 – (Comm. 9E-45) Probation – Personnel Adjustment.

Item 81 – (Comm. 9E-46) Appointment to ECSD Board No. 2.

Item 82 – (Comm. 9E-47) Appointments to ECSD Boards Nos. 3 & 4.

The above three items were received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 83 – (Comm. 9E-48) Appointment to EC Cultural Resources Advisory Board.

RECEIVED, FILED & PRINTED.

April 24, 2000

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Appointment to Erie County Cultural Resources Advisory Board

Dear Members:

Pursuant to Article III, Section 3.02(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I am appointing the following individuals to the Erie County Cultural Resources Advisory Board for the terms as noted below.

Term Expires

SANDY WHITE
533 Humboldt Parkway
Buffalo, NY 14208

December 31, 2001

MARGARET ROBLIN
29 Colonial Circle
Buffalo, NY 14222

December 31, 2001

Very truly yours,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc
cc: Appointees
Charlene Ritter-Lester

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

Item 84 – (Comm. 9D-1) Minutes of Board Meeting Held 3/1/00 & Agenda for Board Meeting 4/12/00.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 85 – (Comm. 9D-2) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC

Item 86 – (Comm. 9D-3) Notice of Board of Trustees Meeting Held 5/8/00.

Item 87 – (Comm. 9D-4) Notice of Board of Trustees Sub-Committee Meetings to be Held 5/23/00 & 5/24/00.

The above two items were received and filed.

FROM ECMC

Item 88 – (Comm. 9D-5) Financial Statements for 3/00.
Received and referred to HEALTH COMMITTEE.

FROM THE COMMISSION ON THE STATUS OF WOMEN

Item 89 – (Comm. 9D-6) Minutes for Meeting Held 4/12/00.

Received and filed.

FROM MENTAL HEALTH

Item 90 – (Comm. 9D-7) 1999-2000 E.C. Local Government Plan Mental Health Services Reinvestment Year – VI.

Received and referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM WNY METRO/ROSE KIRSCH REALTOR

Item 91 – (Comm. 9M-1) Letter to Legislator Kuwik Urging Legislature to Adopt EC Local Law Intro. No. 2-2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CONGRESSMAN QUINN

Item 92 – (Comm. 9M-2) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE SOUTH WALES FIRE COMPANY

Item 93 – (Comm. 9M-3) Copy of Letter to County Executive Re: Erie County Volunteer Recruitment Campaign.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY OF LEWIS

Item 94 – (Comm. 9M-4) Copy of Resolution Requesting NYS Ban the Use of Metal Studs on Snowmobiles.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 95 – (Comm. 9M-5) Financial Statements for Years Ended 12/31/98 & 12/31/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ENVIRONMENTAL ASSOCIATES LTD

Item 96 – (Comm. 9M-6) Copy of Letter to Legislator DeBenedetti Re: Protozoa Analysis Lab.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM IROQUOIS CENTRAL SCHOOL

Item 97 – (Comm. 9M-7) Copy of Letter to Legislators Swanick & Peoples Re: Opposing Elimination of Sales Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 98 – (Comm. 9M-8) NFTA & NFT Metro Board Minutes.

Received and filed.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 99 – (Comm. 9M-9) Meeting Notice & Agenda.

Received and filed.

FROM DEP

Item 100 – (Comm. 9M-10) SEQR – Lead Agency Status – Fire Academy Addition.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS ATTORNEY GENERAL

Item 101 – (Comm. 9M-11) Response to Resolution Re: Cost of Home Heating Oil & Diesel Fuel.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM PRESIDENT CLINTON

Item 102 – (Comm. 9M-12) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE TOWN OF EAST OTTO

Item 103 – (Comm. 9M-13) Notice of Public Hearing Re: Mobile Homes.

Received and filed.

FROM THE TOWN OF AMHERST

Item 104 – (Comm. 9M-14) Certified Resolution Re: Sales Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CORTLAND COUNTY LEGISLATURE

Item 105 – (Comm. 9M-15) Certified Resolution Supporting Increase in NYS Funding CSE Program.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 106 – (Comm. 9M-16) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE NFTA

Item 107 – (Comm. 9M-17) Cash Flow Statements for 4/1/99 – 3/31/00 & 4/1/00 – 3/31/01.

Received and filed.

FROM GOVERNOR PATAKI

Item 108 – (Comm. 9M-18) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM DEP

Item 109 – (Comm. 9M-19) SEQR – Lead Agency Status – Siebert Road Extension.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ERIE COUNTY ASSESSORS ASSOCIATION

Item 110 – (Comm. 9M-20) Supporting Changes to Taxable Status Dates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE REGION 9 FOREST PRACTICE BOARD

Item 111 – (Comm. 9M-21) Minutes of Meeting.

Received and filed.

FROM DPW

Item 112 – (Comm. 9M-22) SEQR – Positive Declaration – New Convention Center.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE SIERRA CLUB NIAGARA GROUP

Item 113 – (Comm. 9M-23) Letter Re: Smoke Pollution & Air Quality.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS COMPTROLLER

Item 114 – (Comm. 9M-24) Survey of County Health Insurance Practices.

Received and referred to the HEALTH COMMITTEE.

FROM JOHN J. DELMONTE, ESQ

Item 115 – (Comm. 9M-25) Notice of Claim.

Received and referred to the COUNTY ATTORNEY.

FROM THE PATCHIN VOLUNTEER EXEMPT
FIREMEN'S BENEVOLENT ASSOCIATION

Item 116 – (Comm. 9M-26) Copy of Letter to Legislator Dusza Re: Property Tax Exemption for Volunteer Firefighters.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ESSEX HOMES OF WNY

Item 117 – (Comm. 9M-27) Copy of Letter to Legislator Dusza Urging Legislature to Adopt Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 118 – (Comm. 9M-28) Annual Operating Budget Fiscal Year Ending 3/31/01 & 5 Year Capital Plan.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM NYSDOT

Item 119 – (Comm. 9M-29) Final Design Report / Environmental Assessment – NY Route 5 – Main Street – Youngs Road to NY Route 78 – Transit Road, Town of Amherst.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Item 120 – (Comm. 9M-30) Copy of Letter to Citizens for Safe Drinking Water Re: Fluoridated Water.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS COALITION OPPOSED TO FLUORIDATION INC.

Item 121 – (Comm. 9M-31) Copy of News Release Re: State Department of Health Flouride Study: More Flourosis! No Fewer Cavities.

Item 122 – (Comm. 9M-32) Copy of News Release Re: Flouridated Water Does Increase Risk of Hip Fractures in Women.

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

MEMORIAL RESOLUTIONS

Item 123 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of Margaret Goldman.

Item 124 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Mildred Troublefield.

Item 125 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Cardinal O’Connor.

Item 126 – Legislator Marshall requested that when this legislature adjourns, it do so in memory of Dorothy Geisel.

Item 127 – Legislator Greenan requested that when this legislature adjourns, it do so in memory of Anthony Scott.

ADJOURNMENT

Item 128 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m., Thursday, May 25, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, May 25, 2000 at 2 p.m. Eastern Standard Time**.

LAURIE MANZELLA
CLERK